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STATE OF WASHINGTON

DEPARTMENT OF ECOLOGY

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Apr 11 13, 1992

Mr. Ron Izatt
U.S. Department of Energy
P.O. Box 550
Richland, WA 99352

Dear Mr. Isaac:

As you know, the public comment period for the draft Hanford site hazardous waste permit closed on March 16, 1992. Ecology received over 700 comments from organizations and individuals. Since then Ecology staff has been carefully reviewing issues raised and modifying the permit as appropriate.

I am forwarding you this letter as notification that due to the complexity and importance of this permit, and the number and significance of issues raised, ~~ecology is not in a position to adequately respond to~~ comments received. Based on the information I have now, I expect issuance in two to eight months.

An important associated issue is that of initial Hanford Waste Vitrification Plant (HWVP) construction activities. As you know, DOE must commence construction of the HWVP in April 1992 under the terms of the Hanford Federal Facility Agreement and Consent Order (HFFACO).

Ecology has informed you in the past that construction of the HWVP could not proceed until a permit had been issued. Ecology staff have discussed this matter with staff from EPA Region X. It is EPA Region X's position that the HWVP may be constructed under an exception to the interim status reconstruction rule. This exception, found in 40 CFR 270.72(b)(5) and WAC 173-303-805(7)(b)(v), allows certain changes necessary to comply with an interim status corrective action order at interim status facilities. DOE submitted Part A for the central waste landfill on November 18, 1980, thereby qualifying that unit for interim status. EPA believes that by virtue of this submission, Hanford may be deemed an interim status facility for purposes of 40 CFR 270.72 and WAC 173-303-805(7).

Ecology has accepted EPA Region X's interpretation on this issue. Therefore, in view of the need to adhere to the HFFACO schedule, this letter is sent to inform you that the HWVP facility may be constructed under interim status as allowed under the regulations cited in the previous paragraph.

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My staff have noted their appreciation of the professional working relationships established on this project. Access to information, meetings, and incorporation of our concerns, has been well handled by DOE. We expect that this relationship will be maintained in the future.

I look forward to working with you in the coming months to ensure that Hanford cleanup efforts are initiated and implemented in a timely and efficient manner.

Sincerely,



Narda Pierce
Assistant Director
Office of Waste Management

NP:lm

cc: Leo Duffy, USDOE-HQ
John Wagoner, USDOE
Dana Rasmussen, USEPA-Region X
John Anttonen, USDOE-RL
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